

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 638 – HB 843

March 30, 2015

SUMMARY OF ORIGINAL BILL: Authorizes home owners associations, neighborhood watches or similar organizations to enjoin or restrain an individual from entering a neighborhood when they have committed three or more separate offenses of theft, burglary, rape, or criminal homicide when three or more of the offenses were committed within the residential area.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004307): Adds language to the bill such that the amended bill authorizes home owners associations, neighborhood watches or similar organizations to enjoin or restrain an individual from entering a neighborhood when they have committed three or more separate offenses of burglary, rape, criminal homicide, delivering or selling controlled substances, criminal gang activity, prostitution, theft and vandalism, when three or more of the offenses were committed within the residential area. Requires theft offense to be over \$500 before it is actionable.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information from the County Technical Advisory Service (CTAS), the fiscal impact of this bill is unchanged with the addition of delivering or selling a controlled substance, criminal gang activity, prostitution, and vandalism as well as the additional value requirement for theft.
- The number of individuals charged with a crime is not expected to change dramatically as a result of this bill. As a result, any impact to the court system and any change in incarceration costs are estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive style with a large, stylized "J" and "S".

Jeffrey L. Spalding, Executive Director

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